### **Environmental Protection Agency**

legal authority to provide public availability of emission data is inadequate.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

- (3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.
- (4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applica-

ble plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34536, Sept. 26, 1974, as amended at 40 FR 55330, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

### §52.1278 Control strategy: Sulfur oxides and particulate matter.

(a) In a letter dated January 30, 1987, the Mississippi Department of Natural Resources certified that no emission limits in the State's plan are based on dispersion techniques not permitted by EPA's stack height rules. This certification does not apply to: Mississippi Power-Daniel; South Mississippi Electric Power, Hattiesburg-Morrow; E.I. Dupont, Delisle Boilers 1 & 2; and International Paper, Vicksburg.

(b) Disapproval. EPA is disapproving portions of Mississippi's Infrastructure SIP for the 1997 annual and 2006 24-hour  $PM_{2.5}$  NAAQS addressing section 110(a)(2)(E)(ii) that requires the State to comply with section 128 of the CAA.

[54 FR 25456, June 15, 1989, as amended at 78 FR 20796, Apr. 8, 2013]

### §52.1279 Visibility protection.

(a) Regional Haze. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Mississippi on September 22, 2008, and supplemented on May 9, 2011, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO<sub>X</sub> and SO<sub>2</sub> from electric generating units. EPA has given limited disapproval to the plan provisions addressing these requirements.

(b) [Reserved]

[77 FR 33657, June 7, 2012]

## §52.1280 Significant deterioration of air quality.

(a) All applications and other information required pursuant to §52.21 of this part from sources located or to be located in the State of Mississippi shall be submitted to the State agency, Hand Deliver or Courier: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, 515 East Amite Street, Jackson,

### § 52.1281

Mississippi 39201; Mailing Address: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, P.O. Box 2261, Jackson, Mississippi 39225, rather than to EPA's Region 4 office.

(b) [Reserved]

[77 FR 23398, Apr. 19, 2012]

## §52.1281 Original identification of plan section.

(a) This section identified the original "Air Implementation Plan for the State of Mississippi" and all revisions submitted by Mississippi that were federally approved prior to July 1, 1997. The information in this section is available in the 40 CFR, part 52 edition revised as of July 1, 1999, the 40 CFR, part 52, Volume 2 of 2 (§§ 52.1019 to End) editions revised as of July 1, 2000 through July 1, 2011, and the 40 CFR, part 52, Volume 2 of 3 (§§ 52.1019 to 52.2019) editions revised as of July 1, 2012.

(b)-(c) [Reserved]

[79 FR 30051, May 27, 2014]

# § 52.1284 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a) The owner and operator of each source and each unit located in the State of Mississippi and Indian country within the borders of the State and for which requirements are set forth under the TR NO<sub>X</sub> Ozone Season Trading Program in subpart BBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Mississippi's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under §52.38(b), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Mississippi's SIP.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of Mississippi's SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR NOx Ozone Season allowances under subpart BBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO<sub>X</sub> Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48368, Aug. 8, 2011]

### Subpart AA—Missouri

#### §52.1319 [Reserved]

#### §52.1320 Identification of Plan.

- (a) Purpose and scope. This section sets forth the applicable SIP for Missouri under section 110 of the CAA, 42 U.S.C. 7401, and 40 CFR part 51 to meet national ambient air quality standards (NAAQS).
- (b) Incorporation by reference. (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to August 1, 2009, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REG-ISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after August 1, 2009, will be incorporated by reference in the next update to the SIP compilation.
- (2) EPA Region 7 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the SIP as of August 1, 2009.
- (3) Copies of the materials incorporated by reference may be inspected